

FAMILY DIVORCE SOLUTIONS *of San Fernando Valley*

August 23, 2016



Resolve Your Trust and Estate Issues Without Going to Court

by Douglas Rosner

Do you have a dispute regarding trusts and estates?

Why go to court?

There is another way.

Your family can choose to resolve your trust and estate dispute without going to court by utilizing the Collaborative Process.

The Collaborative Process provides a safe environment for resolving your dispute that is prompt, transparent and confidential. Further, there is an opportunity to heal emotional wounds of the family members.

A team is formed to help you resolve your conflict. In a civil/trust and estate dispute, the typical core team includes, one attorney for each interest of the dispute, one communication specialist and one financial professional. The team may include other professionals as needed. For instance, there may be a need for more than one communication specialist.

All family members and professionals sign a participation agreement, which include, among other matters, that the attorneys, communication specialists and financial professionals will not represent the family members in a litigated process (going to court) and to withdraw if they choose to go to court. There is an incentive to focus all the resources and energy of the team toward resolution of your dispute.

Each attorney assists each family member and the team to understand the legal issues so informed choices may be understood. The communication specialists assists the family members to manage their emotions and will facilitate communication among them. The financial professional prepares reports to provide the team with options to consider in reaching agreements and provide information to the clients so they have the information to come to agreements with informed decision making.

The professionals guide the family members through an interest-based negotiation process where individual interest and goals are identified, facts are gathered, options are developed and analyzed, and agreements are reached. Finally, an agreement is documented and finalized. All without going to court.



Doug Rosner
Law Office of Douglas Rosner
Westlake Village, California